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FAX TRANSMITTAL SHEET**NO. OF PAGES** (including this page): 13

TO: Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Office of Initial Patent Examination
FAX: (703) 746-4060

FROM: Sheela Mohan-Peterson
DATE: November 4, 2004

RE: Docket No.: DX0935KC
USSN: 10/777,789
Filed: 02/11/2004
Title: MAMMALIAN CYTOKINES; RELATED REAGENTS AND METHODS

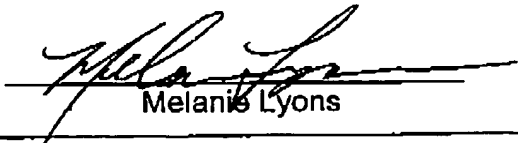
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Any difficulty with this facsimile, please call: Melanie Lyons at (650) 496-1183

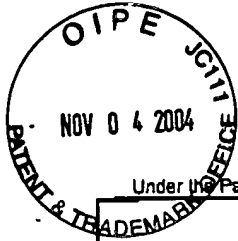
Documents attached:

- Transmittal (1 page)
- Fee Transmittal (in duplicate) (2 pages)
- Response to Notice to File Missing Parts of Application (2 pages)
- Copy of executed Declaration (3 pages)
- Copy of initial Return Receipt postcard (1 Page)
- Copy of Utility Patent Application Transmittal (1 pages)
- Copy of Notice to File Missing Parts of Application (2 pages)

I hereby certify that this correspondence is being transmitted by facsimile to the Office of Initial Patent Examination, Mail Stop MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Fax Number (703) 746-4060, on 4 NOV 2004.


Melanie Lyons

CONFIDENTIALITY NOTE: This sheet and/or the document(s) accompanying it contain information belonging to DNAX which is confidential and/or legally privileged. The information is intended only for the use of the person or entity named above. If you have received this fax in error, please immediately notify us by telephone or return Fax.



PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

13

Application Number

10/777,789

Filing Date

02/11/2004

First Named Inventor

Birgit Oppmann

Art Unit

1653

Examiner Name

Attorney Docket Number

DX0935KC

ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form, in duplicate☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Missing Parts/
Incomplete Application (2 pages)☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication
to Group☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
Identify below):

Remarks:

1. copy of executed Declaration (3 pages)
2. copy of Initial Return Receipt Postcard (1 pages)
3. copy of Utility Patent Application Transmittal (1 pages)
4. copy of Notice to File Missing Parts of Nonprovisional Application (2 pages)
5. Fax Transmittal Sheet (1 page)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual

Sheela Mohan-Peterson, Reg. No. 41,201
DNAX Research, Inc.
901 California Ave.
Palo Alto, CA 94304-1104

Signature

Date

04-November-2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Typed or printed

Melanie Lyons

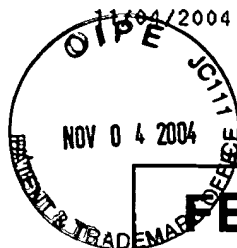
Signature

Date

Nov. 4, 2004

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. Department of Commerce

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**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1,188.00****Complete if Known**

Application Number	10/777,789
Filing Date	02/11/2004
First Named Inventor	Birgit Oppmann
Examiner Name	Unassigned
Art Unit	1653
Attorney Docket No.	DX0935KC

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Other ☐ None☒ Deposit Account:Deposit Account Number: 04-1239Deposit Account Name: DNAX Research, Inc.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	<u>790</u>
1002 350	2002 175	Design filing fee	_____
1003 550	2003 275	Plant filing fee	_____
1004 790	2004 395	Reissue filing fee	_____
1005 160	2005 80	Provisional filing fee	_____

SUBTOTAL (1) \$ 790**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims	Fee from Below	Fee Paid
Total Claims	<u>30</u>	-20** = <u>10</u>	X <u>18</u>	= <u>180</u>
Independent Claims	<u>4</u>	-3** = <u>1</u>	X <u>88</u>	= <u>88</u>
Multiple Dependent				= _____

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 88	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 268

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	<u>130</u>
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	_____
1053 130	1053 130	Non-English specification	_____
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	_____
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	_____
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	_____
1251 110	2251 55	Extension for reply within first month	_____
1252 420	2252 210	Extension for reply within second month	_____
1253 950	2253 475	Extension for reply within third month	_____
1254 1,480	2254 740	Extension for reply within fourth month	_____
1255 2,010	2255 1,005	Extension for reply within fifth month	_____
1401 330	2401 165	Notice of Appeal	_____
1402 330	2402 165	Filing a brief in support of an appeal	_____
1403 290	2403 145	Request for oral hearing	_____
1451 1,510	1451 1,510	Petition to institute a public use proceeding	_____
1452 110	2452 55	Petition to revive - unavoidable	_____
1453 1,330	2453 665	Petition to revive - unintentional	_____
1501 1,330	2501 665	Utility issue fee (or reissue)	_____
1502 480	2502 240	Design issue fee	_____
1503 640	2503 320	Plant issue fee	_____
1460 130	1460 130	Petitions to the Commissioner	_____
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	_____
1806 180	1806 180	Submission of Information Disclosure Stmt	_____
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	_____
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	_____
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	_____
1801 770	2801 385	Request for Continued Examination (RCE)	_____
1802 900	1802 900	Request for expedited examination of a design application	_____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

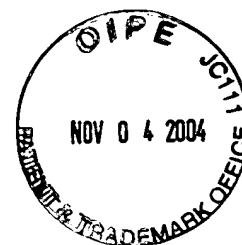
SUBTOTAL (3) \$ 130**SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	Sheela Mohan-Peterson	Registration No.	41,201	Telephone	1-650-496-6400
Signature	<i>Sheela Mohan-Peterson</i>	Date	4-Nov-2004		

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket: DX0935KC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re application of:

Birgit OPPMANN

Application No.: 10/777,789

Filed: February 11, 2004

For: MAMMALIAN CYTOKINES; RELATED
REAGENTS AND METHODS

Examiner: Unknown

Art Unit: 1653

Conf. No.: 4562

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Fax Number (703) 746-4060, Attention: Mail Stop MISSING PARTS, on 4 NOV 2004.

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by: 
MELANIE LYONS**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed by the United States Patent and Trademark Office on April 8, 2004, enclosed are the following to be made of record in the above-identified application:

- 1) a copy of the executed *Declaration and Power of Attorney for Patent Application* signed by all the inventors, as filed on February 11, 2004, with the initial filing documents, in compliance with 37 CFR 1.63 (as evidenced by the enclosed copies: Return Receipt Postcard with the U.S. PTO stamp and Utility Patent Application Transmittal);
- 2) a copy of the *Notice to File Missing Parts of Nonprovisional Application*; and,
- 3) a Fee Transmittal authorizing the PTO to charge the following fees:
 - a) the late filing fee surcharge of \$130.00;
 - b) the application filing fee of \$790.00; and,

10/777,789

1

DX0935KC

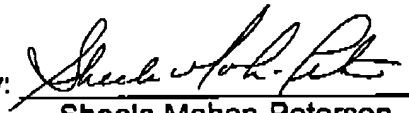
c) the additional claim fees for this application of \$268.00.

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment to DNAX Research Institute Deposit Account.No. 04-1239.

Please telephone the undersigned at (650) 496-6400, if there are any questions.

Respectfully submitted,

Date: 4 November-2004

By: 
Sheela Mohan-Peterson
Attorney for Applicants
Reg. No. 41,201

Customer No. 028008
DNAX Research, Inc.
901 California Avenue
Palo Alto, California 94304-1104
Main: (650) 496-6400
Direct: (650) 496-1244
Fax: (650) 496-1200



Atty. Docket No:	DX0935KC	Date Mailed: February 11, 2004
Applicants:	Birgit OPPMANN, et al.	
Application No.:	Unassigned	
Filing Date:	Herewith	
Title:	Mammalian Cytokines; Related Reagents and Methods	

Please imprint Patent Office "date stamp" hereon to indicate receipt and then return card to addressee

1. Utility Patent Application Transmittal (1 pg.)
2. Fee Transmittal, in duplicate (2 pgs.)
3. Cover Sheet for patent application with Express Mail Certificate of Mailing (1 pg)
4. Specification, including Claims, Sequence Listing, and Abstract [copy from parent application] (113 pgs.)
5. Declaration, executed copy from parent application (3 pgs.)
6. Use of Prior Sequence Submission (1 pg.) with copy of Sequence Listing (14 pgs.)
7. Return Receipt Postcard

Express Mail Record No.: EL 982 851 182 US

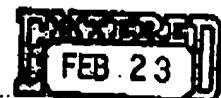
16834 U.S. PTO
10/777789



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Patent Department



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PTO/SB/05 03-01)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	DX0935KC
----------------------------	-----------------

First Inventor | Birgit OPPMANN

Title	Mammalian Cytokines; Related Reagents and Methods
--------------	--

Express Mail Label No. EL 982 851 182 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. X Fee Transmittal Form (e.g., PTO/SB/17)
(submit an original and 2 duplicates for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. X Specification [Total Pages 113]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Pages]
5. Oath or Declaration [Total Pages 3]
- a. New executed (original or copy)
 - b. X Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
- i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.78

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. CD-ROM or CD-R (2 copies); or
- ii. X paper
- c. X Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement _____ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 _____ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation ☒ Divisional ☐ Continuation-in-part (CIP) ☐ of prior application No.: 09/521,335

Prior application information: Examiner: R.C. HAYES Group Art Unit: 1647

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

X Customer Number or Bar Code Label

or **Correspondence address below:**

28008

DNAX Research, Inc.
901 California Ave.
Palo Alto, CA 94304
Telephone: (650) 498-8400
Facsimile: (650) 496-1200

Name (Print/Type)	Sheela Mohan-Peterson, Reg. No. 41,201
-------------------	--

Signature

Sheet 104-104

Date _____

11-Feb-2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/777,789	02/11/2004	Birgit Oppmann	DX0935KC

28008
DNAX RESEARCH, INC.
LEGAL DEPARTMENT
901 CALIFORNIA AVENUE
PALO ALTO, CA 94304

CONFIRMATION NO. 4562

FORMALITIES LETTER



OC000000013782746

Date Mailed: 09/13/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$266 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1166 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$266

11/05/2004 CNGUYEN 00000095 041239 10777789

01 FC:1001	790.00 DA
02 FC:1051	130.00 DA
03 FC:1201	88.00 DA
04 FC:1202	180.00 DA

- \$86 for 1 independent claims over 3.
- \$180 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

B-H.
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE